

**THE STATE OF NEW HAMPSHIRE  
BEFORE THE  
PUBLIC UTILITIES COMMISSION**

**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE  
d/b/a EVERSOURCE ENERGY**

**DOCKET No. DE 20-\_\_\_\_\_**

**PETITION OF PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE D/B/A  
EVERSOURCE ENERGY FOR LICENSE AMENDMENT TO CONSTRUCT AND  
MAINTAIN ELECTRIC LINES OVER AND ACROSS PUBLIC WATERS  
IN NASHUA AND HUDSON, NEW HAMPSHIRE**

Pursuant to RSA 371:17, Public Service Company of New Hampshire d/b/a Eversource Energy (“Eversource” or “the Company”), a public utility engaged in the transmission, distribution and sale of electricity in the State of New Hampshire, hereby petitions the Public Utilities Commission (“Commission”), for a license amendment to construct and maintain electric lines over and across certain public waters in Nashua and Hudson, New Hampshire. In support of this petition Eversource states as follows:

1. In order to meet the requirements for reasonable service to the public, Eversource has previously constructed and currently operates and maintains an overhead 115kV electrical transmission line, designated as the Eversource P134 Line, over and across public waters encompassing a portion of the Merrimack River in Nashua and Hudson. The location of the public water span which is the subject of this petition is depicted on the Overview Map attached hereto as Exhibit #1.
2. The Merrimack River crossing span that is the subject of this petition was previously licensed pursuant to PUC Order 9846 dated December 30, 1969, a copy of which is enclosed since said Order is not available through the PUC’s virtual docket room. In conjunction with a storm hardening program implemented in 2017, the two original wood structures comprising this span, Strs. 53 and 54, were replaced with weathered steel structures without obtaining an amendment to that license, but are sought to be licensed after the fact by this petition.

3. Eversource is commencing a project to replace a static line on the P134 Line with optical ground wire (OPGW) including at the Merrimack River crossing between structures 53 and 54. No other wires will be replaced as part of the OPGW installation project.

4. The wire and structure specifications for the completed replacement of Structures 53 and 54 over the Merrimack River are depicted and noted on the Structure Detail and Profile Views of Exhibit 2 and is in accordance with the National Electrical Safety Code (NESC).

5. The location of the OPGW installation creates the following crossing span:

- I. Public Waters: Nashua and Hudson (Exhibit 2)
  - i. Structures: 53 and 54
  - ii. Structure Span (ft): 702
  - iii. Public Waters Span (ft): 396.3

6. The conductor has been drawn on Exhibit 2 to show the minimum clearance at maximum sag conditions in reference to the public waters span at the design tension and environmental conditions noted in the Profile view.

7. Eversource will maintain and operate the clearance of the crossing over the public water crossing at a height no less than what is required by the 2017 National Electrical Safety Code Table 232-1. The public water crossing requires at least 30.1 feet clearance for 115kV open phase conductor over water areas suitable for sail boating including rivers over 20 to 200 acres. The actual minimum height over the public water crossing is depicted on the attached Exhibit 2 (37.3') and exceeds the minimum NESC requirements.

8. A New Hampshire Department of Environmental Services statutory permit by notification (SPN) is required if construction access and work activities involve the temporary minor alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters, but no Utility Maintenance Notification (UMN, predecessor permit to the current SPN) was required for the 2017 replacement of Structures 53 and 54 and the replacements fell within the recognized utility maintenance exemption of the shoreland protection act. There will be no ground or surface waters disturbance requiring a SPN or shoreland permit for the proposed OPGW installation.

SPN's will be submitted for work in both Nashua and Hudson for the P134 project, but those forthcoming permits are for impacts unrelated to the OPGW work to be performed at the crossing location that is the subject of this petition.

9. The ACOE does regulate the subject portion of the Merrimack River as a federally designated navigable water and said location is covered by General Permit Authorization No. NAE-2010-02435, which was amended by letter dated January 30, 2012 (copy enclosed) to stipulate minimum elevations for 115kV lines (148.91') and communications lines (138.91'). The P134 Line conductor meets that requirements as noted on the Exhibit 2 drawing and the proposed OPGW is located above the conductor and therefore satisfies the ACOE permit requirement for communications lines.

10. It is not anticipated that abutters on either side of the public water crossing will be affected by the proposed OPGW installation, as the P134 Line is an existing line and the work will be performed within Eversource's existing utility easements.

11. Eversource submits that the license amendment petitioned for herein may be exercised without substantially affecting the rights of the public in the public waters. Minimum safe clearances to water surfaces shall be maintained at all times. The use and enjoyment by the public of the public waters will not be diminished in any material respect as a result of the proposed structure replacements.

WHEREFORE, Eversource respectfully requests that the Commission:

1. Find that the license amendment petitioned for herein may be exercised without substantially affecting the public rights in the public waters which are the subject of this petition;
2. Grant Eversource a license amendment to construct and maintain electric lines over and across the public waters as identified and described in this petition;
3. Issue an order *Nisi* and orders for its publication.

Dated this 25th day of June, 2020.



Respectfully submitted,  
PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE  
D/B/A EVERSOURCE ENERGY  
By Its Attorney

A handwritten signature in blue ink, appearing to read "Erik R. Newman", is written over a horizontal line.

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